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April 7, 2020

VIA ECF

The Hon. Sarah Netburn
United States Magistrate Judge
Thurgood Marshall Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *Rich v. Fox News Network LLC, et al.*, No. 18-cv-2223

Dear Judge Netburn:

As previewed in our March 31 letter, Plaintiffs Joel and Mary Rich and Defendant Fox News Network LLC (the “Parties”) jointly submit this letter regarding ESI protocol, pursuant to the Court’s March 11 Order. *See* Docket Nos. 127, 134. The Parties have reached agreement on the additional search terms attached as Exhibit A.

The Parties reserve the right to request additional custodians or terms or to expand the requested timeframes if developments in the litigation or facts learned during discovery warrant it.

Sincerely,

/s/ Beatrice Franklin

Beatrice Franklin

EXHIBIT A

Rich v. Fox News Network LLC, et al., No. 18-cv-2223
List of Additional Agreed Upon Search Terms for Plaintiffs and Fox

Additional terms to Plaintiffs:

For each, from January 1, 2015, to April 1, 2020

RFP 19

- (Seth OR son OR “his passing” OR “his death”) w/20 (happy or sad or upset or distressed or devastated or angry or frustrated or emotional or beside myself OR ourselves or pain or grief or grieving or mourning or hopeless or depressed or feeling or mood or cope or console or consolation or “cannot go on”)
- therapist or counselor or counseling or social worker or psychologist or psychiatrist or shrink or anti-depressant or anti-anxiety
- The following medications, plus those taken by Plaintiffs, separated by OR: citalopram (Celexa), escitalopram (Lexapro), fluoxetine (Prozac, Sarafem, Selfemra, Prozac Weekly), fluvoxamine (Luvox), paroxetine (Paxil, Paxil CR, Pexeva), sertraline (Zoloft), vortioxetine (Trintellix, formerly known as Brintellix), vilazodone (Viibryd), trazodone (Desyrel), venlafaxine (Effexor), duloxetine (Cymbalta), amitriptyline (Elavil), imipramine (Tofranil), nortriptyline (Pamelor), alprazolam (Xanax), chlordiazepoxide (Librium), diazepam (Valium), lorazepam (Ativan), atenolol (Tenormin), propranolol (Inderal), Buspirone (BuSpar), isocarboxazid (Marplan), phenelzine (Nardil), selegiline (Emsam), and tranlycypromine (Parnate)

RFP 22

“paycheck” OR “paystub” OR “income” OR “wage” OR “pay day” OR “Associated Staffing” OR “Maid Brigade” OR “Unemployment” OR “Regal Printing”

RFP 23 and 24

(Apply or application) w/5 (resume OR apply OR Job OR Work OR interview) OR “Regal Printing” OR “Associated Staffing” OR “Nebraska Unemployment” OR unemployment OR “Maid Brigade” OR “Ameritas” OR “National Write Your Congressman”

***Rich v. Fox News Network LLC, et al.*, No. 18-cv-2223**
List of Additional Agreed Upon Search Terms for Plaintiffs and Fox

Additional terms to Fox:

Changes to Previously Agreed Search Terms (July 10, 2016-March 13, 2018)

Change “Rich Family” to “**the** Rich Family”

Searches through the “present” (April 1, 2020) relating to RFP 1, 3, 4, 7

- “Seth w/2 Rich”; “Joel w/2 Rich”; “Mary w/2 Rich”; “Aaron w/2 Rich”; “Butowsky”; and “Rod w/2 Wheeler” for the following custodians
 - i. Malia Zimmerman
 - ii. Adam Housley
 - iii. Greg Wilson
 - iv. Sean Hannity
 - v. Steve Doocy
 - vi. Lou Dobbs
 - vii. Bill Sammon
 - viii. Samuel Chamberlain
 - ix. Refet Kaplan
 - x. Andrew Napolitano

RFP 2 (July 10, 2016-March 13, 2018)

- For Zimmerman, Housley, Wilson, Kaplan, and Sammon:
 - (source or anonymous or "federal investigator" or "federal agent" or "fed investigator" or "fed agent" or "investigative source" or "law enforcement source!") w/30 (DNC and Russia!)
 - (source or anonymous or "federal investigator" or "federal agent" or "fed investigator" or "fed agent" or "investigative source" or "law enforcement source!") w/30 (Rich or Seth)
- For Zimmerman, Housley, and Wilson:
 - (source w/20 (FBI OR federal OR investigator)) w/30 (wikileak! AND Russia)
 - (source w/20 (FBI OR federal OR investigator)) w/30 (wikileak! AND Trump)
 - (source w/20 (FBI OR federal OR investigator)) w/30 (wikileak! AND DNC)

For RFP11 (timeframes noted below)

- For Malia Zimmerman, Adam Housley, and Greg Wilson for the timeframe January 1, 2017-August 1, 2017
 - Wikileaks and (DNC or Russia) and Trump
- For Malia Zimmerman, Adam Housley, Greg Wilson, Sean Hannity, Steve Doocy, Lou Dobbs, Bill Sammon, Samuel Chamberlain, Refet Kaplan, and Andrew Napolitano.
 - For the timeframe January 1, 2017-August 1, 2017
 - Wikileaks and to/from/cc/bcc “.gov”
 - (DNC w/10 hack or leak or emails) and to/from/cc/bcc “.gov”

Rich v. Fox News Network LLC, et al., No. 18-cv-2223
List of Additional Agreed Upon Search Terms for Plaintiffs and Fox

- For the time frame January 1, 2017 - July 1, 2017
 - Wikileaks and DNC and (hack or leak or emails) and Spicer
 - Wikileaks and DNC and (hack or leak or emails) and Bannon
 - Wikileaks and DNC and (hack or leak or emails) and Nunes
- For the timeframe January 1, 2017 to March 13, 2018
 - Wikileaks AND (DNC OR Russia) and Kash
 - Wikileaks AND (DNC OR Russia) and Patel
 - Wikileaks AND (DNC OR Russia) and “Dee O”
 - Wikileaks AND (DNC OR Russia) and Rohrabacher